

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA


ALTON D. BROWN,)	
Plaintiff,)	
)	
v.)	Civil Action No. 03-289
)	
PENNSYLVANIA DEPARTMENT OF)	
CORRECTIONS, ET AL.,)	
Defendants.)	

ORDER

Plaintiff has filed a document, entitled "Objections to Magistrate October 5, 2005 Order Denying His Motion to Compel Discovery" [document #151], which the court will construe as a notice of appeal of United States Magistrate Judge Robert C. Mitchell's non-dispositive order dated October, 2005. Upon a review of the matters raised by the appeal, the court concludes that the order appealed from is neither clearly erroneous nor contrary to law. Fed.R.Civ.P. 72.

Therefore, this 14th day of October, 2005, IT IS HEREBY ORDERED that the order referred to is AFFIRMED and the instant case is referred back to the Magistrate Judge for further proceedings.

BY THE COURT:

 J.

cc: The Honorable Robert C. Mitchell,
United States Magistrate Judge

All parties of record